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OFFICE OF PETITIONS

In re Application of :
Craig Marshall Darsow et al :
Application No. 10/777,262 : **DECISION ON PETITION**
Filed: February 12, 2004 :
Attorney Docket No. :
ROC920030333US1 :

This is a decision on the petition under 37 CFR 1.137(b), filed September 18, 2006, to revive the above-identified application.

The petition is **GRANTED**.

This application became abandoned for failure to timely pay the issue and publication fees on or before August 3, 2006, as required by the Notice of Allowance and Fee(s) Due, mailed May 3, 2006. Accordingly, the date of abandonment of this application is August 4, 2006. A Notice of Abandonment was mailed on September 7, 2006.

The petition satisfies the requirements of 37 CFR 1.137(b) in that petitioner has supplied (1) the reply in the form of payment of the issue fee of \$1,400 and the publication fee of \$300, (2) the petition fee of \$1,500, and (3) an adequate statement of unintentional delay. Accordingly, the issue and publication fees are accepted as being unintentionally delayed.

The rule at 37 CFR 1.137(b)(3) requires a statement that "the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional." Since the statement appearing in the petition varies from the language required by 37 CFR 1.137(b)(3), the statement is being construed as the required statement. Petitioner must notify the Office if this is not a correct reading of the statement appearing in the petition.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-3218.

This application is being referred to Publishing Division for appropriate processing in accordance with this decision on petition.

A handwritten signature in cursive script, appearing to read "Frances Hicks", is written over the printed name.

Frances Hicks
Petitions Examiner
Office of Petitions